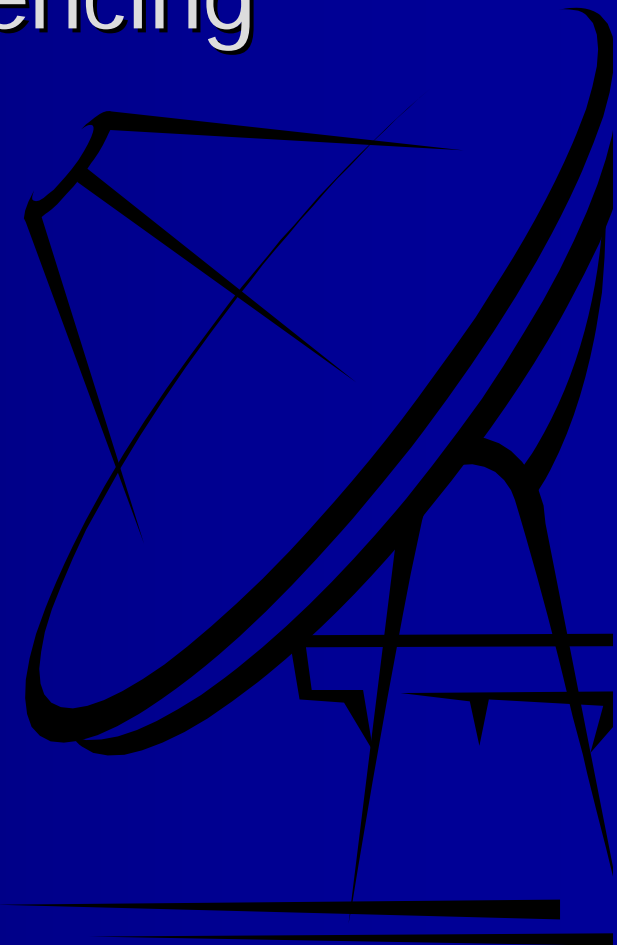


# National Association of Sentencing Commissions

New Frontiers in Sentencing

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Oklahoma City, OK



# **Restructuring Missouri's Juvenile Justice System**

Gary J. Waint

# Missouri comprised of:

- 114 counties, City of St. Louis
- 45 Judicial Circuits (35 multi-county circuits)
- An appointed juvenile officer in each circuit
  - Taking charge of children ages birth – 16
  - CA/N, law violations, status offenses

# Missouri's Population:

- Total population = 5,800,310
- Total Missouri population 0-16 years of age = 1,294,297
- Percentage of 0-16 years by ethnicity:
  - American Indian = 0.52%
  - Asian Pacific Islander = 1.57%
  - Black = 15.74%
  - Hispanic = 3.79%
  - White/Non-Hispanic = 78.72%

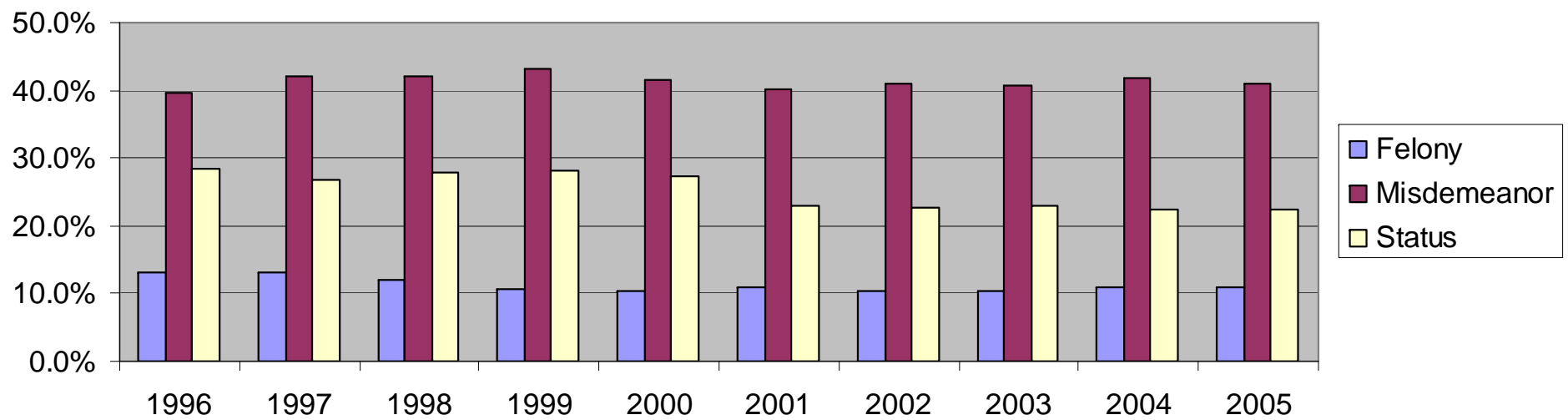
**Juvenile courts are the gatekeepers for placing juvenile offenders in secure care.**

- Division of Youth Services/DSS
- Court's jurisdiction is terminated at the time of commitment to DYS

## Each year on average juvenile courts receive:

- 82,212 referrals
- 44,954 LV referrals
- 11.3% are felonies
- 41.3% are misdemeanors

## Youth Referrals by Offense Type 1996-2005

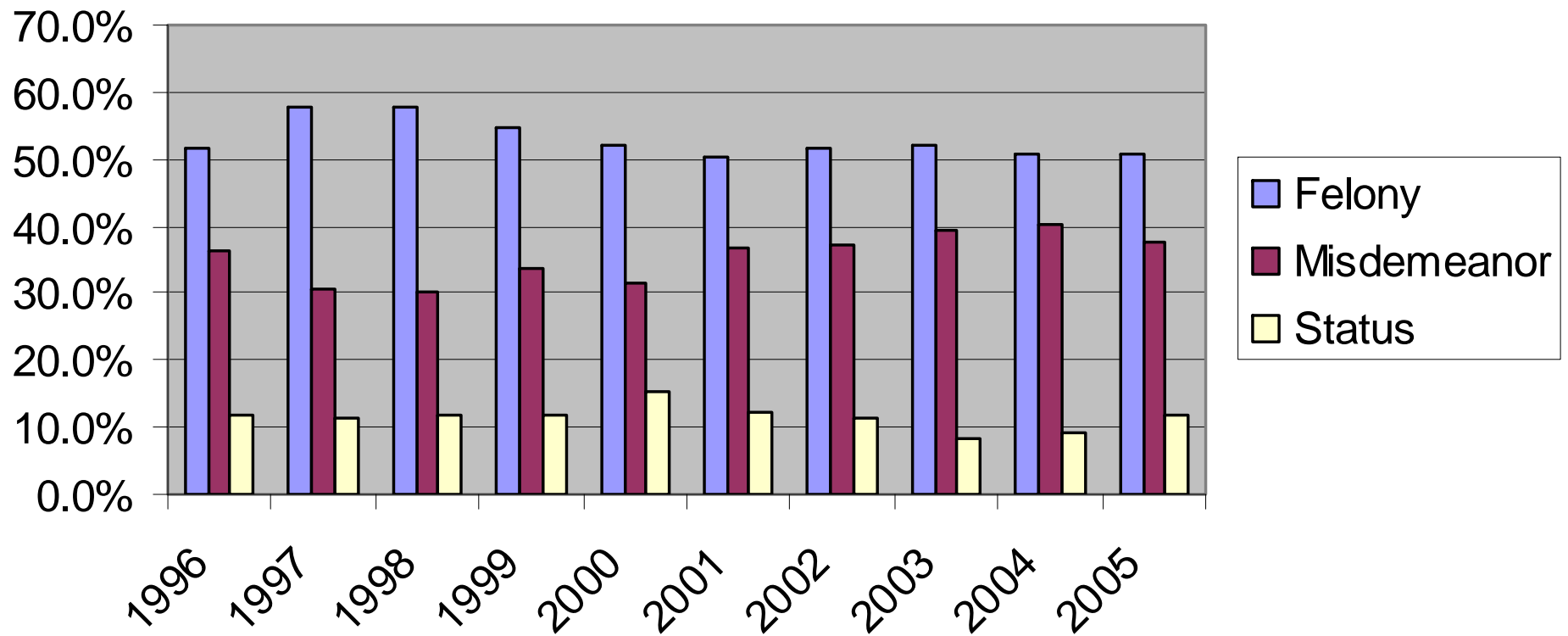


# **An average of 1,264 youth are committed to DYS each year**

- 52.9% are felony offenders
- 35.4% are misdemeanants
- 11.5% are status offenders



## Youth Commitments by Offense Type 1996-2005



# Restructuring Juvenile Justice

## “Getting Tough” 1993

- House Interim Committee on Juvenile Justice Created
  - Slow down knee-jerk ideas
- Juvenile and Family Court Advisory Committee Created
  - Certification of youth to Adult Criminal Court
  - Confidentiality public court hearing/records
  - Prevention and Youth Investment

# Result was the 1995 Juvenile Crime Bill

- Decrease juvenile crime
- Statutory options to certify youth, required hearings
- More accountable to the public
- Make public aware of the identity of the offender, offender accountable and parents
- Remove barriers for law enforcement to investigate
- Protect community

# 1995 Crime Bill has 3 major initiatives:

- Changes in juvenile and criminal procedures
- Changes affecting personnel
- Youth Opportunities and Prevention Act

# Changes in Juvenile Procedures

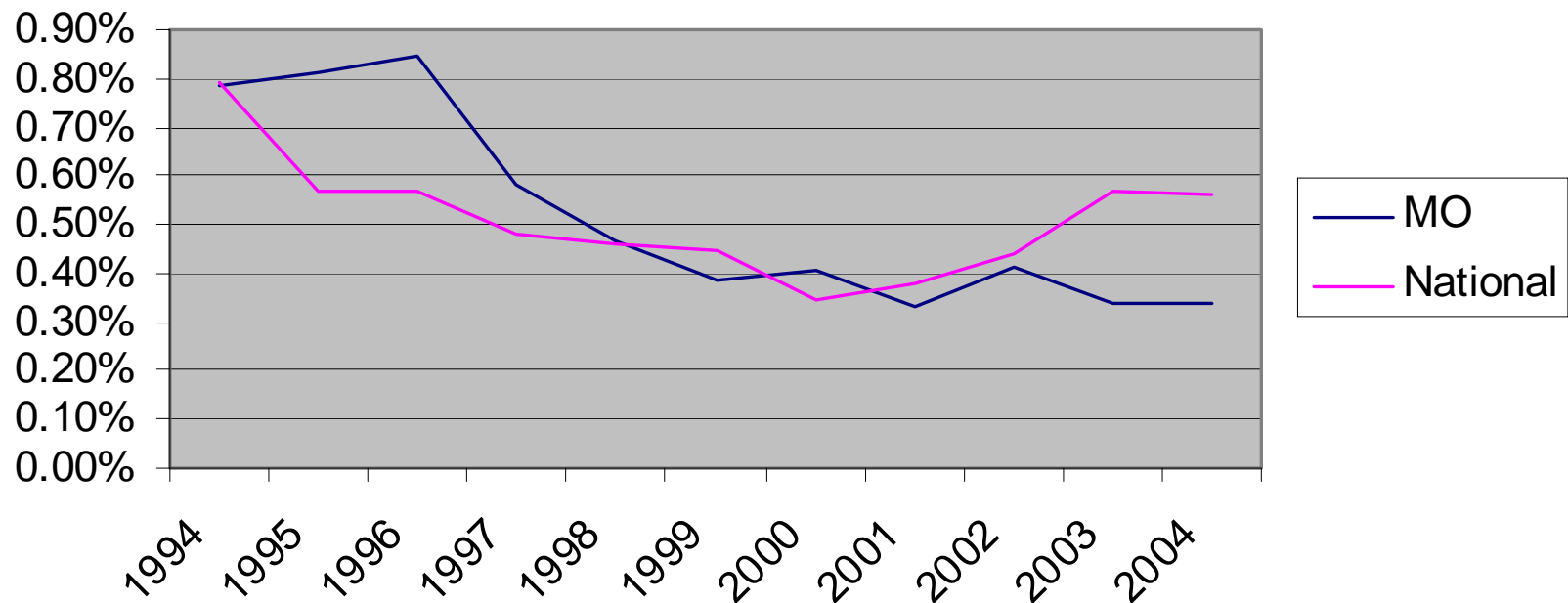
- Certification of juvenile offenders
- Certification hearings required for:
  - A or B Felony or after the juvenile committed 3<sup>rd</sup> felony any classification
    - All hearings open to the public
  - Once certified always certified (unless not guilty)

# Certification Facts

- The number of certifications increased after 1995
- After a peak in 1996, the number of certifications decreased until 2001
- Since then, the number has remained fairly constant
- In 2004, MO certified 56% fewer youth as adults than in 1994
- Since 1996, Missouri felony referrals have decreased by 24%:
  - C felonies have decreased by 39% since 1996
  - Violent crime referrals have decreased by 12%

In comparing the percentage of juveniles certified to adult court in Missouri to national data, the trend seems to be similar, with the percentage decreasing overall from 1994-2004.

**Percent of Delinquency Cases Waived to Adult Court 1994-2004**



# Commitment to DYS Options:

- Indeterminate period of time up to age 18 (residential care)
- Determinate period of time (residential care)
  - Some orders determine the facility location (may be tested)
  - Some orders specify treatment



# Dual Jurisdiction

- Adult Criminal Court can invoke jurisdiction of the both criminal and juvenile codes
- Adult Court imposes juvenile disposition and adult sentence simultaneously
  - Measures to revoke juvenile disposition
  - 51 youth committed to DYS under dual jurisdiction
  - 15 new DYS facilities built post crime bill

# Public Hearings

- When a juvenile is charged with a Class A or B Felony
- Or previously adjudicated for two other felonies
- Some juvenile court records released to:
  - Victims
  - Witnesses, school officials, law enforcement, PA, person/agency proposed to be given custody or provide treatment
- Records of disposition for felony youth shall be open (same as criminal records)

**Questions?**